



Assessment Report
Durham (NC) Police Department

2013



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Assessment Report
June 9-12, 2013**

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A. Agency name, CEO and AM

Durham (NC) Police Department
505 West Chapel Hill Street
Durham, NC 27701

José L. Lopez, Sr., Chief of Police
Samuel A. Farina, Jr., Accreditation Manager

B. Dates of the On-Site Assessment:

June 9-12, 2013

C. Assessment Team:

1. Team Leader: Robert S. Stack
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Lexington Division of Police
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2. Team Member: Dennis Nelson
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D. CALEA Program Manager and Type of On-site:

Maya Mitchell

Sixth reaccreditation, D size (632 personnel; authorized 514 sworn and 118 non-sworn)
5th edition Law Enforcement Accreditation

The agency uses the CACE-L software package.

Report Overview

This on-site was selected for a Gold Standard Assessment, which focuses on pragmatic activities, outcomes, and processes that are assessed through interview and observations. The assessment team looks beyond simple compliance and makes observations regarding effectiveness and service delivery.

The agency, the assessment team and CALEA staff developed a review strategy that focused on those issues specifically relevant to the Durham Police Department. The agency also identified focus points for some of their strengths, weaknesses, opportunities, and threats (SWOT) through an analysis conducted prior to the onsite. Many of these focus points are identified throughout the report. The assessors reviewed 47 files off-site. On-site, the assessors met with various personnel to observe and discuss processes and outcomes related to standards. In many instances, discussions focused on the strengths and weaknesses identified by the agency.

E. Community and Agency Profile:

1. Community profile

Durham is a relatively young city for the eastern half of the United States, with incorporation coming in 1869 following the Civil War. Durham operates under a council-manager government, with an elected mayor and seven-member city council. Durham is the county seat of Durham County, though portions of the city extend into both Wake and Orange Counties. It is the fourth-largest city in the state, and the 85th largest in the United States with a population of 228,330. It is the home to Duke University and North Carolina Central University. In addition to the universities, a major area of economic growth and employment is the Research Triangle Park, which includes over 170 companies employing 42,000 people. Durham is known as the City of Medicine, USA, with healthcare as a major industry including more than 300 medical and health-related companies and medical practices with a combined payroll that exceeds \$1.2 billion annually.

2. Agency profile

The Durham Police Department is a full-service law enforcement agency with an FY14 budget of \$54.6 million. The agency has divided the jurisdiction into Northside and Southside Operations area, each commanded by an assistant chief. The Operations areas are divided further into districts, each commanded by a Captain. The five districts each contain personnel engaged in patrol, directed enforcement and general criminal investigations. The smallest district covering the central downtown business district also oversees the Bike Squads, Traffic Services Unit and Canine. This decentralized approach places the resources necessary to deal with issues directly into the hands of the District Captains, who are responsible for managing the delivery of services to a geographic area. The agency has a separate centralized Investigative Services Bureau that handles specialized investigations such as homicide, fraud, and special victims to name a few. The agency operates its own crime laboratory, which helps it accelerate the testing of most types of evidence. In addition, the DPD has its own training academy that provides basic, in-service, and specialized instruction.

3. Demographics

The demographic composition of the service area and agency are represented in the following table:

	Service Population		Available Workforce		Current Sworn Officers		Current Female Sworn Officers		Prior Assessment Sworn Officers		Prior Assessment Female Sworn Officers	
	#	%	#	%	#	%	#	%	#	%	#	%
Caucasian	96,932	43	70,760	48	325	63	42	8.17	310	63.26	37	7.55
African-American	93,517	41	53,734	36	162	32	29	5.64	158	32.24	31	6.33
Hispanic	32,459	14	18,501	13	22	4	5	.98	16	3.26	3	.61
Other	5,422	2	4,391	3	5	1	1	.19	6	1.22	1	.20
Total	228,330	100	147,386	100	514	100	77	14.98	490	100	72	14.69

The Durham Police Department's sworn strength has increased by 16 positions as the result of a Federal COPS Grant since the last assessment, but its overall agency employment remains unchanged. The current available workforce is 48% Caucasian, 36% African-American, 13% Hispanic, and 3% representing other groups. Caucasian officers account for 63% of the agency's sworn ranks, which is 15 percentage points higher than the available workforce. There are 162 African-American officers in the agency's sworn ranks, which is four (4) percentage points below the available workforce and unchanged since the last assessment. The agency made progress in narrowing the gap between sworn Hispanic representation as compared to the available workforce by adding six (6) officers and increasing representation by nearly a full percentage point. Female officers account for nearly 15% of the agency's sworn officers, which is well above the latest available data indicating that women account for only 12.7% of all sworn law enforcement positions in large agencies with 100 or more sworn personnel.

4. Future issues

The challenges facing the Durham Police Department are not uncommon in a period when the United States is slowly exiting the "great recession." As the city continues to grow through annexation, development and population increases, the department will be challenged to maintain staffing to fulfill its mission to supply timely law enforcement service. The jurisdiction occupies irregular boundaries in Durham County, which necessitates officers driving across large unincorporated areas or adjacent jurisdictions in order to respond to calls, which further hampers the timely delivery of service.

Suitable facilities are another issue that has been slow to resolve. While the quality of district facilities has shown improvement since the previous assessment, the agency's headquarters facility is a matter to be resolved. The aging facility has a façade that is crumbling, which requires the exterior of the building to be surrounded by caution tape at all times. Like many law enforcement agencies around the country, Police Headquarters occupies a building constructed for another purpose. The headquarters building lacks proper security measures and personnel work in an office environment that has been adapted for specialty purposes such as forensics, supply and weapons storage. Many of these functions require a higher level of security than a former corporate office building affords, particularly when protecting the integrity of evidence is tantamount to protecting the integrity of the agency. Interviews with the City Manager, Chief Lopez and others indicate that the city has plans to address this issue with a new headquarters facility.

Like many agencies, the advent of digital media has created an evidence storage dilemma. DPD is no different in that it is saddled with a large quantity of CD's that must be retained until no longer needed. The agency plans to install a digital evidence server is a step towards the efficient handling and storage of digital media, while retaining security and ensuring the untampered validity of the evidence.

The 2000's brought a significant increase in the Hispanic/Latino population. Both the city government and the agency have implemented initiatives, such as a Spanish Police Academy and Spanish speaking victim assistance personnel, designed to help ensure that the delivery of service meets the needs of this growing segment of Durham. The agency is progressing in hiring and retaining Hispanic officers so that the agency better represents the community it serves.

5. CEO biography

Chief Lopez, 58, was officially sworn in as Durham's police chief on Sept. 4, 2007. Chief Lopez was born in Brooklyn, New York. He joined the Hartford, Ct., Police Department in 1983 and retired as Assistant Chief. He had served as chief of detectives and chief of patrol. Chief Lopez served in the U.S. Air Force as a Law Enforcement Specialist and was honorably discharged in 1980. He has a Bachelor of Science degree in Criminal Justice with a minor in police science from John Jay College of Criminal Justice. He is a graduate of the FBI National Academy 183rd Session and the Senior Management Institute for Police at Boston University. He is a recipient of the 2008 National Latino Peace Officers Association Chief's Leadership Award. In 2010 Chief Lopez was recognized by the "Asociacion de Puertorriqueños Unidos de Carolina Del Norte" for his hard work and dedication for the safety of our communities. Chief Lopez served on the North Carolina Governor's Street Safe Task Force (2009-2011) and is currently serving on the Governor's Gang Task Force. He is also serving on the International Association of Chief of Police Victims Services Committee. Chief Lopez is currently the Chairperson for the Board of the Atlanta High Intensity Drug Trafficking Area (HIDTA) Task Force. He has been married to retired Hartford Police Officer Rebecca Lopez for 36 years and they have two grown children. The Lopez's were

sworn in by the Hartford Police on the same day in 1983. Chief Lopez is fluent in Spanish.

F. Public Information Activities:

Public notice and input are cornerstones of democracy and CALEA accreditation. This section reports on the community's opportunity to comment on their law enforcement agency and to bring matters to the attention of the Commission that otherwise may be overlooked.

a. Public Information Session

The session was conducted on Monday, June 10, 2013, 6:30 p.m., at Durham City Hall inside the City Council Chambers. There were 10 people in attendance, but only one (1) chose to make comments. Keith Chadwell, Deputy City Manager of Durham, discussed the impact that good public safety has on economic development and the role the agency has in bringing new business to the community. As a former CALEA Commissioner, Mr. Chadwell is well aware of the attributes of accredited agencies and emphasized that the DPD is a well disciplined agency and highly recommended the agency for reaccreditation.

b. Telephone Contacts

The telephone call-in session was conducted on Monday, June 10, 2013, from 1:00 p.m. – 3:00 p.m. on a dedicated telephone line advertised through the public information plan. There were seven (7) calls received, all of which were positive comments in support of the agency's reaccreditation. Four (4) of the calls were from law enforcement agencies in the region expressing support. One positive walk-in comment was from an employee of the 911 center, which is CALEA accredited. Two comments came from members of the community expressing support and noting the agency's success in developing community partnerships.

c. Correspondence

There were four (4) correspondence received concerning the assessment; two from law enforcement agencies, one from a business and another from a citizen. Chief Toussaint Summers, Jr., New Bern (NC) Police Department, discussed the leadership of Chief Jose' Lopez and the professionalism of the DPD. The Forest of Duke Retirement Community noted the professionalism of officers during response to calls at their facility, and the process of continuous improvement the agency is engaged in. Chief Patricia Bazemore, Town of Cary (NC) Police Department, gave accolades to the agency for its progressive programs and willingness to unselfishly assist law enforcement agencies in the region. An email from a citizen, self-professing a long struggle with mental illness, made allegations of mistreatment during service

of an involuntary commitment order and further alleged that the agency had not taken his complaint and investigated it. An examination of the agency's records indicated the agency did receive the allegation, conducted an internal investigation, and found the allegation to be unfounded. Attempts to contact this citizen by telephone were not successful.

d. Media Interest

Neither the agency, nor the assessment team, had contact with the media during this assessment.

e. Public Information Material

The agency issued a press release nine (9) days prior to the on-site announcing the assessment to employees and the community. The release invited anyone to participate directly by utilizing either the telephone contact session or public hearing. In addition, the announcement also provided contact information for the commission for those wishing to provide written comments. Public notices concerning the assessment were available to the public in the lobby of Police Headquarters, Durham Public Library and City Hall. In addition, the public notice was displayed on the public access channel of the local cable TV affiliate and both agency's and city's public web site. An interview with the agency's two public information officers indicated that all local media were informed of the assessment. Based on the number of letters and telephone calls, it is evident that the employees, city officials and community were amply informed of the assessment.

f. Community Outreach Contacts

Due to the unique nature of this assessment, the team was in contact with approximately 150 agency members, city officials and members of the community. Both team members rode with agency officers and attended roll call briefings. At least one team member visited all five district stations, training academy, and evidence storage facility. The assessment team also interacted with members of the community at the hotel, restaurants, and following the public hearing. All comments and interactions were consistently positive and reinforced the perceptions of the team that the Durham Police Department are held in high regard by the vast majority community they serve.

On Monday, June 10, Assessor Stack met with Thomas Bonfield, City Manager to discuss the agency and future issues. Mr. Bonfield was complementary of the agency and its success in reducing crime through data driven deployment. Mr. Bonfield noted that plans call for a new police headquarters facility.

On Tuesday, June 11, Assessor Stack conducted a telephone interview with Steve Schewell, City Council Member, who is a 45 year resident of Durham. In the year and a half he has served on the city council, he has had a closer perspective of the DPD. He credits the agency for most of the crime reduction and clearance. He spoke particularly of youth crime occurring on a city trail system that caused concern to the community. The agency has deployed various specialized units and specialized vehicles on the trail in a concentrated effort to reduce fear of crime. Principles of CPTED were utilized to reduce opportunities for crime. Through community partnerships, the agency has utilized the camera resources of American Tobacco to increase surveillance capability. The agency is highly responsive to community concerns expressed during community meetings (PACs) and develops its response to issues in a timely manner. Mr. Schewell recognizes that the headquarters is structurally insufficient to meet the needs of the agency and offered that they city has allocated funds for architectural design and land acquisition.

An interview with Dub Karriker, a representative from Durham's faith-based community, revealed that program named Faith Acts, affiliated with Project Safe Neighborhoods, was initiated two years ago to build relationships and partnerships with the faith-based community. The agency works with churches, synagogues, and temples to bring the faith community out to assist the officers in obtaining community feedback, obtain information from the community... The leadership of the program is a civilian employee in the agency. During an annual kick-off breakfast, the agency command staff meets with the leaders of the faith-based organizations to go over its community policing philosophy, build relationships with District Commanders where houses of worship are located and then larger activities are hosted with the faith community to share the resources of the agency (i.e. Crisis Intervention Team, tactical team, etc.). Mr. Karriker recognized that these efforts are supported from the very top of the agency and he has found it very beneficial to know the District Commander, particularly when the church is engaged in an outreach to help a troubled area.

Assessor Stack spoke with Chief Cassandra Deck-Brown, Raleigh Police Department, concerning the relationship her agency has with DPD and the existence of a mutual aid agreement between the two agencies. Chief Brown spoke of the high level of cooperation between the two agencies and her admiration for Chief Lopez's leadership.

Assessor Nelson spoke with Shelly Green, Durham Convention and Visitors Bureau, concerning her organization's association with the Durham Police over the past 14 years. Ms. Green noted that the agency is a member of a 19-agency public information group that works as a team to address crime prevention and promote the image of Durham as a safe community. Ms. Green assisted the agency with its citizen survey and will be working with the

agency to modify its future surveys in order to get a fuller grasp of the community's perceptions of both the agency and areas of concern. On a personal note, Ms. Green noted a family member was a victim of crime and she was pleased with the manner in which the Special Victims Unit investigator interviewed her relative and put them at ease. She truly felt like the department was concerned and cared about her relative.

G. Essential Services

The assessment team was asked to examine four areas from the agency's SWOT analysis and this section begins with a review of those areas.

Property and Evidence Control Function

The agency's move to a much larger property and evidence room away from its prior location in the basement of Police Headquarters during the assessment period has resolved several deficiencies and concerns. The new space addresses storage needs well into the future. It includes special areas to store refrigerated evidence, narcotics, weapons, and the ever-growing DNA evidence. Assessor Nelson cross checked 10 randomly selected pieces of evidence with agency automated records. While seven items were readily located, three were not. The inability to locate these three items is attributed to the assessor not recording the correct number and not an error with the system. While the property room custodian has a unique system of locating items, the assessor found the system somewhat confusing and awkward. For example, a single property slip was observed to have numerous numbers that included a case number, barcode number and numbers with no known purpose. The case numbers were found to be recorded differently from piece to piece. Due to the inconsistency and complexity of the numbering system, the assessor recommended that the agency use its existing barcode number as the single cross reference number to agency records and discontinue placing multiple numbers on each piece of evidence unless there is a compelling reason to do so. The agency's property room is in compliance with its policy, procedures and accreditation standards. Moreover, the room was found to be neat, clean and very orderly. Adhering to a single numbering system that is readily understood by anyone inspecting or examining the system is a best practice the agency should consider.

Community Service Programs

The Community Resource Unit focuses its efforts on offering programs that reach out to involve and educate the citizens. These programs include: Project Safe Neighborhoods, Faith Acts Citizen Engagement Effort and Results, Residential Awareness Program (RAP), Citizens Police Academy, Durham Trail Watch Program, Durham Business Against Crime (DBAC) Mission, GREAT and GREAT Camp, Mental Health Outreach Program, Police Athletic League, Citizen Observer Patrol Program, and Explorer Program. Each of these programs has proven to be very successful in its own right. The RAP program focuses on meeting citizens in their home or neighborhood to discuss strategies for crime prevention in areas experiencing recent crime. The

purpose of the program is to offer information that will address deficiencies and prevent repeat criminal activity. Assessor Nelson observed that the agency is doing an outstanding job of reaching out to the community to educate, gain their involvement and partner with citizens and community groups in a collaborative effort to reduce and/or eliminate crime. The agency has solidified its partnerships by ensuring that they cover the full spectrum of community demographics. The agency works with juveniles through its National Night Out, PAL, GREAT and GREAT Camp, and Explorers; works with families through its Project Safe Neighborhoods, Residential Awareness Program; other adults through its Citizen Observer Patrol, Durham Trail Watch, senior citizens through its senior events and programs; all ages through its Faith Acts Citizen Engagement Effort and Results; and businesses through its Durham Business Against Crime program.

Crime Analysis Function, Intelligence Led Policing, Crime Abatement Management Model

The Durham Police Department's crime analysis and intelligence functions work collaboratively to provide analysis and information that allows the agency's geographically based management model to be successful. This collaborative effort of crime analysis and intelligence functions is called the Durham Criminal Information Center (DCIC). The agency's crime and intelligence analysts operate under separate chains of command, yet share work space to ensure that there is no impedance to information sharing. The resulting "cross pollination" that mixes data analysis with intelligence information results in timely reports and information that benefits every level of the agency and the community. In recent years the agency has increased both the information it collects and the personnel engaged in crime analysis and intelligence gathering. The agency engages in weekly intelligence meetings that support several existing crime reduction programs that include the Residential Awareness Program (RAP), Top 10 Offender Program and Operation Bulls Eye initiative.

The RAP program focuses agency resources in areas that have two or more burglaries within 400 feet of each other, occurring within a two week period. Analysts assess each of the burglaries for solvability factors and modus operandi (MO), which often results in the identification of repeat victimization patterns. The agency's model is based on an empirical study entitled the Near Repeat Crimes conducted by Temple University. Experience indicates that the likelihood of another burglary incident within the same area within seven days is 127% greater than if no pattern found. If a pattern is identified, then the chance of another incident within 400 feet of the previous incidents during the next seven days is 94% greater. The agency responds by deploying its community resource officers to make citizen contacts in the area and disseminate crime reduction information. The program, which started in September 2011, has resulted in 73 operations through June 2013 and also demonstrated an overall city-wide reduction in burglaries. Additional personnel, including traffic enforcement, are deployed to the general area to increase police presence.

As the title suggests, the Top 10 Offender Program focuses on the jurisdiction's "frequent flyers" that cause the most crime and disorder in the community. To have the

dubious honor of being one of Durham's most prolific criminals, a person must have committed seven qualifying offenses over the past 10 years, with at least one (1) in the district over the past year. Qualifying offenses are Uniform Crime Reporting Part One crimes (other than shoplifting), drug offenses and weapon violations. Each District Commander receives a list from Crime Analysis listing persons of interest that meet this criteria and the District Commander then selects the top 10 offenders they want their district personnel to focus on. Crime Analysis runs a daily report on any new contacts with top 10 offenders so that each district is kept apprised of developments. The report is for a rolling 60 day period. Each district assigns one officer or investigator to each Top 10 Offender. The assigned officer/detective is responsible for attempting three (3) contacts with the offender on a monthly basis to ensure that the offender knows that they are a person of interest to the agency. In addition, the offenders' associates are contacted as well.

Operation Bulls Eye focuses on layers of crime and their relationship to three key variables: density of shots fired calls, violent firearms calls and known gang member home addresses. The outcome is mapping suspects and their crimes to focus agency resources on problem areas and problem people.

A major computer company approached the agency in recent years because the department has demonstrated consistent success with using the computer manufacturer's tools to engage in Intelligence Led Policing (ILP). The agency identified the need for a relational database tool that links names, numbers, and other pieces of information from various sources (e.g. computer aided dispatch, records management, intelligence, field interviews, etc.), so it created its own analytical tools. The Durham Criminal Information Center provides the agency's leadership and "boots on the ground" personnel with the timely information they need to make informed decisions. This collaborative approach to analysis and use of the data in terms of real world deployment inculcates the ILP model and there is little this team can offer in terms of suggestions for improving this model; except that the agency should eagerly share its programs and successes with the law enforcement community at each opportunity.

PTO Program and Recruit Training

The DPD made a significant change to the post-academy training of its sworn trainees a little over three years ago when it switched from the San Jose based Field Training Officer program to the Police Training Officer (PTO) program that emphasizes a problem-based learning model for employee development. This program migration to the PTO program provided the agency with the means to develop a new officer's critical thinking and problem solving skills. Such skills complement other programs established within DPD, which has embraced the community-oriented policing model. The PTO program requires the trainee to complete a weekly written self-assessment of strengths and weaknesses, which is supplemented by their PTO's own assessment of the trainee's progress towards proficiency with core competencies. During the early phases of the program, the trainee is accompanied by a PTO, during which they complete a problem-based learning exercise. Trainees share their exercise with other trainees and PTO's in order to learn from the experience of others.

Once the recruit completes the Accompanied Phase of the PTO program, they are assigned to the Unaccompanied Phase and are given the Neighborhood Portfolio Exercise (NPE). Each new officer completes this exercise based on a problem they have encountered during the Accompanied Phase. Trainees utilize agency and community resources to solve a problem they have identified in the community, which often results in innovations that have lasting effect. Trainees demonstrate ownership of their projects and often sustain their project long after their probation. Using Problem Based Learning techniques, new officers describe the problem selected, walk through the problem solving model, present the resources and assistance mobilized, and outline action plan implemented, and conclude with the resources required to sustain the program moving forward.

The agency and community benefit from the problem solving initiatives created by its newest officers. Agency buy-in to the PTO program seems strong based upon the interaction of the assessment team with DPD members. The agency has adapted the program to meet the needs of the agency and provide a foundation for sustaining Community Oriented Policing strategies by ensuring that new officers begin their careers equipped to find long-term solutions to the issues they encounter. The Durham Police Department has shared its success with agencies regionally and should be encouraged by the Commission to broaden its influence nationally. The agency should be recognized for its leadership in promoting this progressive model of police training and ensuring its own program inculcates tenets of the PTO model.

Law Enforcement Role, Responsibilities, and Relationships and Organization, Management, and Administration.

The Durham Police Department (DPD) requires all new officers to sign a copy of the agency's Law Enforcement Code of Conduct and Law Enforcement Code of Ethics adopted from the International Association of Chiefs of Police. Civilian personnel also sign the agency's Code of Ethics. Personnel received biennial training on ethical topics such as interaction with the public, expectations, conflicts of interest, improper use of agency equipment, and similar ethical topics.

The DPD permits sworn personnel to conduct strip searches with a search warrant when an arrested person is suspected of concealing contraband, evidence or weapons, and when a person gives consent. A supervisor's approval is required for strip and body cavity searches. Searches are conducted with privacy and by persons of the same gender as the accused. Body cavity searches require an officer to have probable cause, a supervisor's approval, and, absent exigent circumstances, acquisition of a search warrant. All searches of this nature are documented in an incident report. The agency should consider requiring personnel to document in the incident report the name of the supervisor approving the strip search or who was consulted concerning probable cause to obtain a search warrant for a body cavity search.

Sworn personnel are afforded a diverse list of approved duty, back-up and off-duty firearms. The agency's armorer or rangemaster inspects all agency owned and

personally owned firearms prior to use and maintain records of approved weapons. Firearm repairs are documented and tracked by the armorer. All firearms receive a preventive maintenance inspection every five (5) years, which helps ensure the firearm functions properly and wear parts are replaced as needed.

All officers are required to qualify with their on-duty and off-duty firearms annually. In addition, the agency conducts an annual night qualification for on-duty weapons. Officers that fail to qualify with their firearm after two (2) consecutive attempts are not allowed to carry the weapon until remedial training is scheduled and the officer successfully qualifies. When an officer fails to qualify with a weapon, he/she is not permitted to engage in on-duty or off-duty law enforcement activities in accordance with agency policy and North Carolina law enforcement certification standards. Remedial training is scheduled and successful qualification is required prior to resuming law enforcement duties. Mandatory training on lethal weapons and electronic impulse devices (EID) occurs annually, while less than lethal weapon qualification occurs biennially.

North Carolina law enables agencies to assist one-another temporarily with personnel and equipment, while retaining police powers, immunities and privileges. The DPD maintains multiple agreements with local law enforcement agencies in the region that address equipment, pay, supervision, liability, immunity, and authority. All agreements are reviewed annually by the agency's attorney, concisely address each aspect of the standard, and reflect the authorization of the current CEO of the participating agency. During an interview with Chief Cassandra Deck-Brown, Raleigh Police Department, Chief Deck-Brown emphasized the excellent relationship between her agency and the Durham Police Department, which is solidified with their mutual aid agreement between the two agencies.

The agency's multi-year plan was updated in 2013 to reflect the trends and issues confronting the agencies and set the outline for long-term planning and initiatives. Like many agencies confronted by the economic downturn in the US economy, many well-laid plans from the previous multi-year plan were unfulfilled. In particular, plans pertaining to facilities were only partially met. It is evident from the details that the agency considers its plans as roadmaps for agency growth, facility management, and acquisition of technology, training, and employee development. Some of the items addressed through the plans are discussed in greater detail in the Future Issues section of this report.

Goals and objectives are updated annually and made available to agency personnel through posting on the intranet. Each goal has a corresponding strategy, along with a measure to determine completion or effectiveness. An interview with a member of the command staff revealed that the goals and objectives of the agency (strategic plan) is connected to the city's plan and is reflected in the budget document. The budget process includes references to Uniform Crime Reporting statistics, response times and citizen satisfaction surveys. Part of the budget document examines how effective the agency has been in the aforementioned areas. The portion of the city's plan that the

agency connects with in the city's strategic plan is the Safe and Secure Community. The city's and agency's strategic plans are living documents, which means they are changing constantly. Representatives from the DPD meet every few months with representatives of the city to discuss the city's strategic plan. The agency and city's strategic plans are complementary of one another.

An interview with one of the agency's crime analysts revealed that the agency maintains one crime analyst for four of the five districts. There is a data integrity analyst who reviews all Part One crimes to make sure there is good data to facilitate future analysis. A quality assurance component checks for completeness, consistency and compactness, which is a step beyond accuracy. As this quality control process occurs, the analyst has the first opportunity to identify crime patterns. The unit also distributes weekly crime analysis reports internally and meets weekly with supervisors and commanders at the district level to discuss patterns.

To ensure the high level of analysis meets or exceeds ILP standards, the agency conducts an on-going examination of best practices from crime analysis associations, criminologists and college researchers. Analysts prepare the supporting information presented during the monthly Crime Abatement Meetings (CAB). CAB meetings are very similar to CompStat in several ways, such as the strategic nature of the discussions. However, from an accountability standpoint, the various districts and resources within the agency come together to assist each other. This approach is beneficial in that it minimizes the artifact of crime displacement and, instead, seeks a long-term resolution of problems.

The agency completed a workload analysis for personnel that respond to calls for service in 2011 and for all other administrative and specialized units in 2012. The analysis indicated a pent up demand for personnel that grew during the recent national economic down-turn. A challenge facing the agency is that staffing levels trail behind ever-increasing demand for service, which is driven, in part, by an estimated 9% population growth anticipated in the agency's jurisdiction over the next five (5) years. The latter report pertaining to administrative and specialized units pointed to the concomitant growth required in support functions as the number of first response personnel increases. The level of detail the DPD reflected in this analysis will benefit both agency and city planners who will need to be armed with facts supporting the need for increased staffing in both operational and support functions.

Support from volunteers enables the agency to provide a heightened level of service and supports the efficient use of sworn personnel for activities that require police powers. Explorer Post 357 serves as eyes and ears for first responders by participating in ride along and special assignments. The Explorers are trained in the duties they perform. A Citizen Observer Patrol, staffed with volunteers, assists the agency with vacation watches, extra patrols, infirmed or shut-in checks, dissemination of information (i.e. brochures and safety tips) and other duties. Those performing auxiliary functions receive documented training on the duties they perform. Uniforms for Explorers and Citizen Observers clearly distinguish them from sworn personnel.

Cash funds are maintained primarily for petty cash reimbursements and for confidential funds associated with criminal investigations. Petty cash funds are disbursed in amounts not to exceed \$100 and are generally used for emergency and incidental expenses. Verification of purchases is typically documented with original receipts. Confidential funds must be requested and authorized prior to disbursement for information and contraband. Various levels of command approval are required depending on the size of disbursement. After the funds are utilized for purchase of information, contraband or other investigative purposes, the investigator is responsible for submitting an expense voucher for verification and audit purposes. Proofs of compliance indicated that petty cash and confidential fund accounts were audited on a quarterly basis during the assessment period.

Bias Based Profiling

The agency's directive on bias based policing emphasizes the requirement of its personnel to be fair and impartial in performing their duties and states emphatically that personnel not engage in bias-based policing when establishing just cause to conduct a field contact and/or consent search. A second policy addressed specific prohibitions against bias based profiling for matters involving asset seizure and forfeiture efforts. The agency should consider combining these prohibitions into a single policy statement.

During the assessment period, the agency's Internal Affairs Unit received a single complaint in 2011 alleging racial profiling, but those accused were exonerated. The agency's annual documented administrative review of agency practices focuses primarily on traffic stop data, which the agency is required to gather in accordance with state law. Review of citizen concerns is accomplished through a search of complaints and local news stories related to the topic. The agency's annual review examines disparities and the quantitative and qualitative issues that might explain the circumstances. A notable statistic is the 60% increase in traffic stops involving Hispanic motorists during 2010, when compared to the prior year. The number of citations issued was consistent with other racial/ethnic groups. The agency noted that anomalies in the data, also known as random variability in data, were difficult to explain from one year to the next.

Traffic Warnings and Citations – 2010

Race/Sex	Warnings - Written & Verbal	No Action Taken	Citations	% Citations to Total Stops	Total
Caucasian/Male	2994	328	3649	52%	6971
Caucasian/ Female	1760	158	1857	50%	3775
African- American/Male	4788	620	4078	43%	9486
African- American/Female	2993	359	2831	46%	6183
Hispanic/Male	914	134	1741	62%	2789
Hispanic/Female	323	37	514	59%	874
Asian/Male	137	10	126	46%	273
Asian/Female	78	8	87	50%	173
OTHER	41	3	49	53%	93
TOTAL	14028	1657	14932	49%	30617*

*Value reflects Hispanic ethnic number that is duplicitous in Race

Traffic Warnings and Citations - 2011

Race/Sex	Warnings – Written & Verbal	No Action Take	Citations	% Citations of Total Stops	Total
Caucasian/Male	3244	220	3360	49%	6824
Caucasian/ Female	1883	121	1802	47%	3806
African- American/Male	5039	500	3798	41%	9337
African- American/Female	3197	302	2681	43%	6180
Hispanic/Male	900	77	1479	60%	2456
Hispanic/Female	313	24	515	60%	852
Asian/Male	159	9	149	47%	317
Asian/Female	88	6	99	51%	193
OTHER	57	5	55	47%	117
TOTAL	14880	1264	13938	46%	30082*

*Value reflects Hispanic ethnic number that is duplicitous in Race

Traffic Warnings and Citations - 2012

Race/Sex	Warnings – Written & Verbal	No Action Take	Citations	% Citations of Total Stops	Total
Caucasian/Male	2673	205	2871	50%	5749
Caucasian/ Female	1606	90	1448	46%	3144
African- American/Male	4568	429	3243	39%	8240
African- American/Female	3074	260	2186	39%	5520
Hispanic/Male	807	84	1424	62%	2315
Hispanic/Female	312	28	472	54%	812
Asian/Male	117	16	112	46%	245
Asian/Female	82	3	59	41%	144
OTHER	39	3	47	53%	89
TOTAL	13278	1118	11862	45%	26258*

*Value reflects Hispanic ethnic number that is duplicitous in Race

Biased Based Profiling Complaints

Complaints from:	2010	2011	2012
Traffic contacts	0	0	2
Field contacts	0	1	0
Asset Forfeiture	0	0	0

Use of Force

The Professional Standards Division conducted annual analysis of use of force cases to ascertain if data points to the need for modifications to training or policy. The analysis of use of force incidents contained observations specific enough for the chief and his command staff to make decisions concerning policy, training and procedures. Observations in each report place statistics into appropriate context and identify potential training needs. Analysis examined the quantity of incidents by assignment, which in some cases pertains to geographic area. The analysis noted that in 2011 firearms discharges involving canine increased 400% from three (3) events in 2010 to 15 in 2011. In all cases the officer was exonerated following investigation.

Nonetheless, the Training Division coordinated training in December 2011 by the American Society for the Prevention of Cruelty to Animals (ASPCA) for a group of officers. In 2012, the number of similar incidents dropped to four (4). The data revealed that the humane destruction of animals was captured in the use of force data. The agency recently decided not to discontinue including these events in its use of force analysis, a decision with which the assessment team concurs. The year 2012 also marked a six (6) year low in the number of use of force incidents. Concomitantly, injuries continued a marked decline as well. The decrease in injuries is due, in part, to effective agency training and the use of Electronic Control Weapons (ECW).

Use of Force

	2010	2011	2012
Firearm	5	16	12
ECW	87	94	60
Baton	0	0	0
OC	7	7	7
Weaponless	17	28	28
Use of K9	3	15	4
Total Uses of Force	119	154	111
Total Use of Force Arrests	121	214	116
Complaints	4	11	7
Total Agency Custodial Arrests	9,176*	9,435**	8,851***

The Firearm number includes the destruction of animals.

*1% of all arrests resulted in the use of force for 2010.

**2% of all arrests resulted in the use of force for 2011.

***1% of all arrests resulted in the use of force for 2012.

Personnel Structure and Personnel Process

All employees and their immediate family members are afforded confidential employee assistance program (EAP) services that include assessment, short-term counseling and referral to other professionals. Services are also provided to employees and their insurance eligible family members for up to six (6) months following termination. Employees can obtain services by appointment, during a crisis and after-hours. Proofs indicate that the services are offered proactively following crisis, such as the school shooting in Newtown, Connecticut, so that employees and their children can cope with a tragedy that could affect work or school attendance and performance. Employees can initiate EAP assistance through the Internet or 24-hour telephone number. Employees that receive formal discipline are reminded in their disciplinary notice that EAP services are available if personal or medical issues may be impacting job performance. Mandatory referral to EAP is dependent upon the severity of the job performance problem and individual circumstances of the allegation. Supervisors are trained on the use of the EAP resource for discipline and job performance issues.

Grievances

Employees are afforded two (2) avenues to voice disagreement with a work-related matter. Mediated disputes require the employee to notify either the Employee Services office or the Chief of Police of their concern within 10 days of an unfavorable decision or work condition. Resolution or written response to the allegation is forwarded within 14 days. After analysis and investigation, Employee Services affirms or deny the allegation and indicates a remedy if appropriate. Grievances may be filed for suspension, demotion, termination, and sexual harassment. Certain personnel matters, such as reduction in rank, performance evaluation, reprimands, substance abuse violations, hours, and pay are not accepted as grievances. Time limits are outlined in the Human Resources policy issued to all personnel indicating the 10 calendar day time-limit to file a grievance, time-limit for the agency director to notify the employee the action is affirmed, and 30 day time-limit to conduct a grievance hearing following a notice to appeal.

Annual grievance analysis was completed on a fiscal year basis for the first two years of the assessment period and on a calendar year basis for the final year. The analysis did not reveal a discernable trend in the type or quantity of grievances, which averaged six (6) per year. In FY11 there were two (2) suspension grievances overturned, which is equivalent to half of the suspensions grieved in that time period. No grievances were overturned in the other two analysis periods. The grievance analysis also included stats for sexual harassment complaints filed during the time period, though those complaints were not included in the grievance count.

Formal Grievances

Grievances	2010/11	2011/12	2012
Number	5	7	6

Disciplinary

The agency's disciplinary policy and procedures are outlined in a written directive. The agency uses counseling and retraining to address employee performance issues when the circumstances may not rise to the level of verbal reprimand. Training and counseling may also augment formal discipline when indicated. Progressive discipline is used in most disciplinary matters, though the agency reserves the right to by-pass progressive discipline or issue a more severe penalty than is indicated by policy when the nature of the offense and discretion dictates otherwise. The agency has 90 days to investigate a formal complaint. Once a complaint has been investigated and sent through the chain of command, it is sent to the officer's captain for technical review. The captain reviews the case and officer's history before recommending specific discipline. This recommendation must receive multiple layers of concurrence through the chain of command. If an officer is not satisfied with the discipline decision, the officer can appeal the matter, which is heard by three deputy city managers, who render the final decision. A case file was randomly selected and inspected by an assessor and found to be well organized, professionally prepared, thorough, and properly stored in a

secure location. Case files contain relevant case documents, correspondence to the complainant, notices to the accused, and a conclusion of fact.

All complaints must be processed through Internal Affairs, even if handled at the District level. This ensures that information is included in the early warning system and that Internal Affairs is fully informed of issues at the District level. Though the agency uses an internal affairs software it is exploring additional software that will allow it to have minor complaints entered at the District level and merge events such officer involved collisions, use of force reports, performance reviews, and unexcused absences for a more complete picture of officer's actions.

During the assessment period the agency emphasized adherence to its secondary employment policy and more particularly addressed the issue of certain employees failing to report for secondary employment or calling in absent at the last moment. The discipline in these cases escalated the number of events through 2011. The number of personnel actions declined in 2012 once the issue had been addressed.

Personnel Actions

	2010	2011	2012
Suspension	45	44	33
Demotion	0	4	0
Resign In Lieu of Termination	4	5	1
Termination	1	0	1
Other	0	0	0
Total	50	53	35
Commendations	34	0	12

Recruitment and Selection

The agency has dedicated considerable staff to its recruiting efforts, which includes three (3) full-time recruiters, three (3) full-time background investigators, a corporal, sergeant, and administrative assistant. The DPD is exploiting all options to reach potential candidates and has used innovative approaches such as wrapping vehicles with recruiting information, sponsoring an athletic team, and advertising with the local baseball franchise. The area has several large military bases, which are also a focus of recruiting teams. The agency is exploring digital marketing to determine the demographic that is touching on certain web pages. The agency is surveying its recruits to determine which media campaigns work and which don't. All in-state applicants are required to attend an agency open house prior to taking a written test for the agency and an application is provided at the open house.

Sworn Officer Selection Activity in the Past Three Years

Race/Sex	Applications received	Applicants hired	Percent hired	Percent of workforce population
Caucasian/Male	576	73	12.7	52.90
Caucasian/Female	66	10	15	7.25
African-American/Male	244	32	13	23.19
African-American/Female	78	7	9	5.07
Hispanic/Male	69	10	14	7.25
Hispanic/Female	7	4	57	2.9
Other	33	2	.06	1.45
Total	1073	138	13	26.85

Years reported 2010-2012

Population percentage based on 2010 Census

The agency's recruiting takes into account its need to have a membership that mirrors the available workforce in the community. The agency has neither made progress nor lost ground in its efforts to increase African-American representation; however, the agency has made progress in hiring both Hispanic and female officers. An interview with the recruiting sergeant indicates that the agency has established reasonable goals to achieve workforce representation and it continues to use innovative recruiting methods to achieve its goals.

Training

The DPD academy is located inside a Durham Technical Community College facility. Community Colleges operate Basic Law Enforcement Training (BLET) and every officer must have BLET certification in order to get hired by an agency. Each BLET program is certified by the State of North Carolina. The DPD conducts training for other agencies that have BLET academy students. These "sponsored students" may or may not be hired by the sponsoring agency upon completion. The DPD requires all attendees, regardless of agency sponsorship, to adhere to academy policies and requirements. Those who complete the academy receive 16 college credits. All academy instructors are certified through a general instructor training course, which includes preparing lesson plans in a format required by the state. North Carolina law requires 24 hours of in-service training annually, of which 16 hours is state mandated topics. The DPD is allowed to select the topics for the remaining eight (8) hours.

The Police Training Officer (PTO) program is administered through the agency's academy staff, which includes training of new PTO's. When the transition to the PTO

occurred, the existing Field Training Officers (FTO) were not "grandfathered" into the PTO program. All PTO's were selected and trained in the new program, which gave the program a fresh start. The agency should consider a mechanism for obtaining feedback from trainees concerning the performance of PTO's to help ensure only motivated PTO's remain a part of the program.

Promotions

The Office of the Chief of Police establishes the promotion process. Chief Lopez is committed to having an executive command staff whose diversity reflects the rich culture of Durham. By policy, appointments to the ranks of corporal, sergeant and lieutenant are competitive. Conversely, the ranks of captain, assistant chief and deputy chief are selected by the chief in a non-competitive process. The agency provides an appeal process but has only had one recent challenge; however, that challenge was for a deputy chief position which, as mentioned, was made by the chief. The Police Personnel Manager is responsible for coordinating and assisting with the assessments for all competitive promotions. The agency uses an outside international vendor to conduct competitive processes, which has been tested and cleared for validity. The chief follows the City of Durham personnel policy concerning promotions and is the final authority on promotions.

Sworn Officer Promotions

PROMOTIONS – 2010-2012			
	2009/2010	2011	2012
GENDER / RACE TESTED			
Caucasian/Male	34	9	0
Caucasian/ Female	5	1	0
African- American/Male	21	9	0
African- American/Female	4	2	0
Hispanic/Male	2	0	0
Hispanic/Female	0	0	0
GENDER/ RACE ELIGIBLE AFTER TESTING			
Caucasian/Male	33	9	0
Caucasian/ Female	5	1	0
African- American/Male	21	9	0
African-	4	2	0

American/Female			
Hispanic/Male	2	0	0
Hispanic/Female	0	0	0
GENDER/ RACE PROMOTED (CPL, SGT, LT)			
Caucasian/Male	10	5	15
Caucasian/ Female	0	1	4
African- American/Male	4	5	8
African- American/Female	2	0	3
Hispanic/Male	0	2	0
Hispanic/Female	0	0	0
GENDER/ RACE EXECUTIVE STAFF CAPTAINS and ABOVE			
Caucasian/Male	3	3	3
Caucasian/ Female	1	1	0
African- American/Male	3	0	3
African- American/Female	0	0	2
Hispanic/Male	0	0	0
Hispanic/Female	0	0	0

Law Enforcement Operations and Operations Support

The agency's Uniform Patrol Bureau is responsible for delivering most police services to the citizens of Durham. The city is divided into five districts, each housing uniformed patrol officers, criminal investigators for that district, and crime prevention personnel. Districts One through Four include High Enforcement Abatement Teams (HEAT) units. The HEAT unit is made up of problem-solving squads that target problem areas, persons and crime trends. The nature of this unit provides district commanders with the additional personnel resources they need to address specific problems. District Five staffing also includes a Bicycle Unit, K-9 Unit, Traffic Unit, Warrant Unit, and handles special event permits.

The patrol officers in each district work on one of four 12-hour shifts, each commanded by a lieutenant and supervised by sergeants and corporals. Each shift is preceded by a briefing to exchange and/or pass down information. Training designated specifically for roll-calls is also conducted when necessary.

The police department sets a target goal to respond to Priority 1 (emergency) calls in 5.8 minutes. The actual response time was slightly higher than the target at 5.9 minutes; however, 53.8% of these calls were responded to in less than five minutes. The agency has experienced increases in calls for service involving persons suffering from mental health and substance abuse issues. All agency members, sworn and non-sworn receive initial mental illness recognition training upon hire, as well as refresher training. The last agency-wide refresher training occurred in 2012. The DPD operates a highly successful Mental Health Outreach Program (MHOP) through their Crisis Intervention Team (CIT). This CIT team works to serve people suffering from mental illness and substance abuse. To date, there are over 1,300 persons in the database. Each Team member is highly trained and has completed the Fire Department's First Responder Training. The team also conducted training in 'Mental Health 101' for 284 law enforcement and corrections officers, firefighters, recruits, school personnel and advocates. The team conducted 5,500 phone and in-person contacts and made 1,288 agency referrals in 2011-2012.

In 2012, the agency continued its transition to a new in-car camera system. The system is designed to allow automatic uploads of data as it parks at any Durham Police Department district facility. Like many law enforcement agencies, during 2012 the agency was faced with changing police vehicles to replace the phased out Ford Crown Victoria. Different model test cars were put into the fleet for officers to test and evaluate before choosing a new replacement.

The Patrol Services Bureau's Traffic Services Unit is made up of 14 sworn officers, including one supervisor. Seven (7) officers are trained to investigate fatal crashes, as well as conduct traffic enforcement in high crash areas and citizen complaint areas and driving while impaired (DWI) enforcement. Six (6) officers are assigned to motorcycles and handle traffic enforcement, DWI enforcement and public safety training. In addition, the unit also handles all funeral escorts within the city. The officers assigned to this unit operate unmarked cars and police motorcycles.

Law enforcement officers from Durham and agencies across the state collaboratively participate in the Governor's Highway Safety Program. In 2012 they participated in the "No Need 2 Speed" campaign since speed was a factor in 399 traffic fatalities in North Carolina that year. Officers of the Traffic Services Motor Unit also teach a day-long skills course to motorcyclists as part of BikeSafe-North Carolina. This service was established through a \$93,500 grant offered by the Governor's Highway Safety Program. The goal of the program is to reduce motorcycle-related accidents and fatalities. Following some initial instruction, the officers actually ride alongside participants under real traffic conditions so they can observe rider behavior. The Durham Police Department has been designated as the Triad Region Coordinator, which allows the unit to teach monthly hands-on motorcycle safety classes, conduct checkpoints, and establish other agencies as BikeSafe centers across the Triad area.

The agency has two (2) Public Information Officers (PIO) and each has a distinct set of media responsibilities. One PIO is responsible for positive interaction with the

community such as providing updates on initiatives (e.g. acquisition of a new headquarters building), employee awards and agency achievements. The other PIO is responsible for “hard news” coverage of crimes and major events. A lieutenant is the on-camera face of the agency, though the PIO staff handles the interaction with the media. The PIO function is also responsible for maintaining the portion of the city’s web site that includes crime statistics and agency information. PIO’s also prepare information that the Chief presents quarterly to the City Council that provides an extensive overview of the significant activities of the agency. In recent years the agency has migrated into social media (i.e. Facebook) as a means to keep the community informed.

Staff inspections are performed by the Staff Inspections Unit under the direction of the Professional Standards Division. Inspections are planned on a long range schedule to ensure all agency areas and functions are inspected at least once on a triennial basis. The sergeant assigned to staff inspections performs a very detailed inspection that results in the generation of a thorough report that includes, the actual physical inspection, reviewing policies and procedures, interviewing staff and line personnel within the function, concise reporting of conditions, observations, and recommendations for improvement. Upon re-inspection the report will include progress made toward correcting any previous deficiencies.

Crime Statistics and Calls for Service

Instances of Part One crimes have steadily decreased during the assessment period, which is a continuation of the trend noted during the prior assessment. Part One crime dropped from 13,016 to 12,078 reported incidents, which is a decline of 7.4% during the assessment period. This decrease is most notable in all categories of property crimes, particularly when compared to the stats from the prior assessment period. The agency’s focus on ILP and strategic Crime Abatement Meetings, coupled with the use of specialized patrol resources, such as the HEAT Unit, have all contributed to this continuing decline. Calls for police service continue a trend of steady increases from 370,227 to 397,188, reflecting a 7.3% overall increase. The steady increase in the population of Durham is one variable that can contribute to this trend.

Year End Crime Stats – Offenses

	2010	2011	2012
Murder	22	26	21
Forcible Rape	60	66	73
Robbery	664	701	622
Aggravated Assault	873	919	1005
Burglary	3652	3881	3298
Larceny-Theft	6999	6775	6305
Motor Vehicle	717	607	691

Theft			
Arson	29	26	63
	13016	13001	12078

911 Calls for Police Services

	2009/10	2010/11	2011/12
911 Calls Answered	269,158	254,846	283,500
Admin Calls Answered	96,572	93,676	92,853
Calls for Police Services	370,227	362,208	397,188

Vehicle Pursuits

Pursuits are authorized only under very limited circumstances involving violent felonies (i.e., murder, rape, robbery, kidnapping and felonious assault), to the extent that if the violator is not immediately apprehended he/she would pose a threat of serious injury to the public. As a result of this policy, there were only two actual pursuits in 2010 and only three in 2011. In 2012 there were 29 situations labeled as a 'pursuit', but were actually refusal to stop situations and all 29 were terminated by the agency before a pursuit could begin.

Vehicle Pursuits

PURSUIT	2010	2011	2012
Total Pursuits	7*	7**	29***
Terminated by agency	5	4	29
Policy Compliant	1	2	0
Policy Non-compliant	1	1	0
Accidents	1	0	1
Injuries: Officer	0	0	0
: Suspects	0	0	0
: Third Party	0	0	0
Reason Initiated:			
Traffic offense	1	0	0
Felony	1	2	0
Misdemeanor	0	1	0

*5 of the 7 were not pursuits but a refusal to stop situation that resulted in immediate termination.

**4 of the 7 were not pursuits but a refusal to stop situation that resulted in an immediate termination.

***all were not pursuits but a refusal to stop situation that resulted in an immediate termination.

Critical Incidents, Special Operations and Homeland Security

Standards for these chapters were not assessed during this on-site.

Internal Affairs and Complaints against employees

The Professional Standards Division is responsible for the internal affairs function. Statistics related to internal investigations are made available to agency members and citizens upon request, as well as posted in the agency's annual report. The Internal Affairs Unit is staffed by five (5) fulltime personnel. The unit handles citizen complaint investigations, as well as agency-directed internal investigations. All citizen complaints are fully investigated to include interviews with all parties involved. These complaints are labeled as 'performance reviews' and are directed down to the employee's assigned district captain for follow-up and disciplinary recommendation, if any. The Office of the Chief of Police directs internal investigations on other employee matters to include serious offenses as well as minor policy infractions, such as failure to show up for training, failure to appear in court and failure to show up for assigned extra duty employment. In 2010 the agency had 80 citizen complaints and 220 internal affairs investigations. In 2011 the numbers were 72 citizen complaints and 374 internal investigations. And in 2012 the citizen complaints dropped down to only 37 and internal investigations dropped to 151. The reason for the spike in internal investigations in 2011 was because the unit investigated 60 incidents of inappropriate use of the agency's mobile computer messaging system and investigated 67 incidents of officers missing in-service training. The action taken by the agency in 2011 resulted in the over 50% reduction in investigations in 2012.

At first glance, the internal investigation numbers appear to be way out of line in comparison to the citizen complaints. Normally, most minor infractions are handled by line staff and are typically not categorized as an internal investigation. Therefore, they are not included in the statistics. The assessment team recommends breaking out the minor infractions category into a subcategory of internal investigations and perhaps internal review. Upon completion of investigations, results are sent to the employee's district captain for disciplinary recommendation, if any. In determining the level of discipline, the captain reviews similar disciplinary action involving other employees, as well as previous discipline involving the employee. The captain's recommendation is then passed through the chain of command to the deputy chief for concurrence and then back to the captain to be administered. If suspension is recommended, the employee is automatically scheduled for a disciplinary conference with an uninvolved assistant chief. If the recommendation is demotion or termination, the disciplinary conference is held with an uninvolved deputy chief. If the employee is still not satisfied with the results he/she may schedule a grievance hearing with two (2) City of Durham Deputy City Managers, whose ruling is final.

In March 2013, the DPD participated in a detailed news story about use of force and department procedures involving them. The report was a great layman's view of how internal investigations are conducted and included information and procedures pertaining to other area law enforcement agencies too. The DPD website offers easy to follow instructions for how a citizen may file a complaint or submit commendations concerning the agency and its members. The forms are simple and can be filled out and submitted online directly to the Chief's Office.

Complaints and Internal Affairs Investigations

External	2010	2011	2012
Citizen Complaint	80	72	37
Sustained	19	15	3
Not Sustained	8	12	7
Unfounded	6	11	4
Exonerated	47	34	23
Internal			
Directed complaint	220	374*	151
Sustained	94	218	65
Not Sustained	22	38	21
Unfounded	9	27	55
Exonerated	86	72	7
Policy Failure	1	3	0
Withdrawn	8	16	3

*The spike in internal complaints for 2011 is the result of 67 members who failed to attend in-service training in addition to another 60+ members who fell victim to an internal probe of inappropriate MDT messaging.

Detainee and Court Related Activities; Auxiliary and Technical Services

The Durham Police Department's Forensic Services Unit is responsible for processing crime scenes, lifting and examining latent fingerprints, processing firearms, examining digital evidence and videos, and printing photographs. The unit is currently undergoing the International Organization for Standardization (ISO) accreditation process for its lab. The Unit's laboratory is fully equipped with several glue and superglue fuming chambers and five (5) DrySafe air dryers for processing evidence. A section of the lab is dedicated to the ever increasing processing of computers and electronic and digital equipment evidence. The Unit works 23.5 hours day and an investigator is always on call. The unit has an authorized strength of six (6) non-sworn positions. In 2012, the Unit answered 2,807 calls for service in Durham, and 17 assists for other agencies, printed 2,011 photographs, examined 611 digital/video items and processed 434 guns. The Unit also examined 18,718 fingerprints, resulting in identification of 342 persons, including 195 suspects.

The agency is fortunate to have an investigator assigned to firearms examinations. While the investigator must rely on the State's Integrated Ballistics Identification System (IBIS) for assistance, she is able to perform preliminary function and fire testing which helps to expedite those submissions. The most significant challenge facing the unit is turnaround time for DNA processing. Currently, all North Carolina law enforcement agencies must rely on the North Carolina State Crime Lab for processing. Due to back-up of pending cases at the state lab, it takes 6-24 months to analyze and process DNA, resulting in severe delays in arrest and prosecution. It is a goal of the Unit to eventually be cleared to conduct its own DNA analysis.

Property and Evidence

The agency has not changed property/evidence custodians since the last assessment. All required audits and inspections were performed in a timely manner. A thorough staff inspection was conducted as part of the agency's annual inspection. Each report focused specifically on policies, procedures, cleanliness and staff. The past two (2) inspections revealed specific issues and concerns of agency policy noncompliance; however, those issues primarily dealt with conditions related to the size of the old property room, which was extremely small.

The agency proudly moved to a new property and evidence storage facility in 2013. Previously identified issues were resolved as a result of this move, which consolidated property held in four geographically separated and overcrowded facilities into a single modern and organized facility. The new facility provides ample storage for future needs and includes special areas to store refrigerated evidence, narcotics, weapons and the ever-growing DNA evidence. The new storage facility was inspected by an assessor and found to be extremely orderly and clean. Assessor Nelson cross checked several randomly selected pieces of evidence with agency automated records. While the property room custodian has a system for locating items, Assessor Nelson found the system was slightly confusing to follow. The property slip on the evidence had numerous numbers, including case numbers, barcode numbers and some with unknown meaning. The case numbers were found to be different from piece to piece. Due to the inconsistent numbering system, it would be far better in the assessor's opinion, to use the barcode number to cross reference to agency records. This suggestion was presented to the chief during the exit interview.

A remaining area of concern is the backlog of property requiring destruction. The agency has tried to work with the District Attorney's Office for orders permitting destruction in order to reduce the backlog, but without success. The longer the backlog for destruction remains, the greater the likelihood of misplaced items, which could harm the integrity of the system, thereby risking the credibility of future evidence presented in court.

H. Applied Discretion Compliance Discussion:

This section does not apply.

I. Standards Noncompliance Discussion:

This section does not apply.

J. 20 Percent Standards:

CALEA agencies must be in compliance with at least 80% of applicable other than mandatory (O) standards. The agency is free to choose which standards it will meet based on their unique situation.

The agency was in compliance with 95.2% of applicable other-than mandatory (O) standards.

K. Future Performance / Review Issues

This section does not apply.

L. Table: Standards Summary:

	<u>TOTAL</u>
Mandatory (M) Compliance	<u>304</u>
(M) Noncompliance	<u>0</u>
Waiver	<u>0</u>
Other-Than-Mandatory Compliance	<u>66</u>
(O) Noncompliance	<u>0</u>
(O) Elect 20%	<u>7</u>
Not Applicable	<u>104</u>
 TOTAL	 <u>481</u>

M. Summary:

Agency files were organized, included ample documentation and were well prepared for this assessment. File maintenance was not an issue, with only one (1) file returned for additional documentation, which the agency had readily available and promptly provided. During the prior assessment the agency had two files in applied discretion, but this assessment did not have any files in this status. There were no issues from the last assessment that required attention during this on-site. Agency annual reports to the commission were submitted on time.

The assessors reviewed 48 standards off-site and found them to be in compliance with agency practices and meeting the intent of standards. The agency has been accredited for so long that the policy and practices of the agency inculcate the standards and are second-nature to the agency.

The Durham Police Department is a full service law enforcement organization that has fine tuned Intelligence Led Policing and fostered a symbiotic relationship between crime analysis and crime intelligence. The beneficiaries of this symbiosis include the commanders who lead their personnel to address community crime issues, the officers who are deployed in a meaningful manner, and most importantly the citizens, which are enjoying declining crime statistics and improved service. The Durham Police Department could easily rest on its laurels and coast along with the status quo. Fortunately for city leaders and the community, under the leadership of Chief Jose Lopez and his dedicated command staff, the agency has engaged in a process of continuous improvement. Issues facing the agency in the future, including the continuing need for a professional headquarters facility. Interviews with city and agency officials indicate that a new police department headquarters building was approved by the city council several years ago. A consultant was retained to assist with planning for the facility and site selection. The long-range plan calls for the DPD to have a new headquarters by 2018. Resolving this issue doesn't appear to be the result of a lack of commitment by city administration, but instead, competing fiscal demands in a post-recession economy.

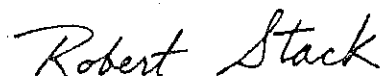
There were no issues concerning bias based policing evident in either complaints or citizen contact statistics. The agency will revisit the quality and content of its citizen survey to ensure it captures the perceptions and concerns of the community. Representatives from other law enforcement agencies, community leaders and elected officials provided ample positive comments about the agency and the direction its leaders are taking the agency. Chief Lopez has selected and developed a leadership team that truly reflects the rich diversity of the community. This diversity within the chief's command staff further bolsters the confidence that the community and its leaders have in the agency.

The Durham Police Department earned four (4) national rankings in the 2012 National Night Out (NNO) awards competition sponsored by the National Association of Town Watch. In 2012, Durham was ranked 14 among 135 competing cities of comparable population across the country observing America's Night Out Against Crime. Durham was again distinguished with three (3) NNO All Stars honors earned by University Estates Community Watch (District 3), Azalea Park Apartments (District 2) and Audubon Park Homeowners Association (District 4). The City of Durham Police Department debuted on the NNO awards scene in 2006 and each year following has consistently ranked among the nation's top 20 participating communities for its community size. Durham debuted in 2006 in 11th place, continued improve its ranking in subsequent years, and in 2011 captured 8th place nationally out of 140 cities of similar size.

The three year average of total types of use of force incidents have decreased 24% since the last assessment and 2012 marked a six (6) year low in the total number of use of force incidents. There were no trends observed in grievances filed by employees, which remained steady and averaged six (6) per year. Instances of internal affairs investigations of external complaints made by the community declined 19% compared to the previous assessment period, while internal complaints increased 78% from the previous assessment period. This spike is attributed to internal investigations related to improper mobile data computer messaging, officers missing in-service training and some officers not reporting for extra duty employment. Once these investigations concluded, internal complaints declined in 2012.

Part One crime declined 7.4% during the assessment period. This decrease is most notable in all categories of property crimes and is a testament to the agency's application of the Intelligence Led Policing model. Police vehicle pursuits appear on the surface to have increased from seven (7) incidents in each of the first two years of the assessment period, to 29 during the last year. However, each of the 29 incidents labeled as pursuits in 2012 were terminated immediately when the motorist refused to stop. The agency has a highly restrictive pursuit policy.

This Gold Standard Assessment was entirely without issues and the agency demonstrated hospitality, cooperation and transparency in every aspect of the process.



Assistant Chief Robert Stack
Team Leader

August 12, 2013